

Notice of Allowability

Application No.

10/656,209

Examiner

Hong C. Kim

Applicant(s)

FISCHER ET AL.

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/20/06.
2. ☒ The allowed claim(s) is/are 1-4, 5-10, 13, 15, 12, 14, 34, 16-19, 20-25, 28, 30, 27, 29, 35, 31, 32, and 36 (renumbered 1-33).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>9/20/06</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Detailed Action

1. Claims 1-4, 5-10, 13, 15, 12, 14, 34, 16-19, 20-25, 28, 30, 27, 29, 35, 31, 32, and 36 are presented for examination. This office action is in response to the amendment filed on 9/20/06.

Terminal Disclaimer

2. The terminal disclaimer filed on 9/20/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent application No. 10/526,747 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

3. Receipt is acknowledged of information disclosure statement filed on 9/20/06, which the statement has been placed of record in the file. Information disclosed and listed on PTO 1449 was considered.

4. Examiner acknowledges applicant's statement (filed on 5/23/2006) submission of a translation of a non-English reference titled "Datenarchivierung mit SAP", however, the examiner could not locate the translation. These documents have been considered as per MPEP § 609 which states:

If no translation is submitted, the examiner will consider the information in view of the concise explanation and insofar as it is understood on its face, e.g., drawings,

chemical formulas, English language abstracts, in the same manner that non-English language information in Office search files is considered by examiners in conducting searches.

As the examiner's understanding of German language is nil, if the Applicant desires consideration of these documents in their entirety, as opposed to the statement of relevance provided in the specification, Applicant should submit an English translation.

5. The status of the related U.S. applications or patents (e.g., USP application No. 10/656,208, 10/526,747, 10/526,751, etc.) should be included as appropriate in the CROSS-REFERENCE TO RELATED APPLICATIONS section and in any other corresponding area in the specification, (e.g., U.S. Patent Application Serial No. ###/###,### filled Sept. 07, 1990, now abandoned;..., now U.S. Patent #,###,### issued Jan. 01, 1994; or This application is a continuation of Serial Number ###/###,###, filed on December 01, 1990, now abandoned; ...etc.), if any.

REASONS for ALLOWANCE

6. The following is an Examiner's statement of reasons for the indication of allowable subject matter: renumbered claims 1-33 are allowable over the prior art of record because a search does not detect the combined claimed elements as set forth in the claims 1-33. Specifically, claims are allowable over the prior art of record because none of the prior art of record teaches or fairly suggests a method, a computer system, and a software on a tangible computer readable medium for moving a data object from

a first to a second storage location utilizing two different locks as described in the specification and together with combination of other claimed element as set forth in the claims. Therefore, claims 1-33 are allowable over the prior art of records.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons For Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong C Kim whose telephone number is (571) 272-4181. The examiner can normally be reached on M-F 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sanjiv Shah can be reached on (571) 272-4098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 whose telephone number is (571) 272-2100.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10. **Any response to this action should be mailed to:**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to TC-2100:
(571)-273-8300

Hand-delivered responses should be brought to the Customer Service Window (Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

HK
Primary Patent Examiner
September 26, 2006

Handwritten signature and initials, possibly "1/2" or "1/2" with a checkmark.